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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

The rule of law at the national and international levels

Letter dated 23 August 2012 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the Secretary-General

In accordance with instructions received from the Government of the Republic of Azerbaijan, I have the honour to draw your attention to ongoing violations of the ceasefire by the armed forces of the Republic of Armenia recorded for June 2012 (see annex). According to the annexed information, during the reporting period, the armed forces of Armenia continued intensive fire on both military and civilian objects in Azerbaijan from their positions in the occupied territories of Azerbaijan and from the territory of Armenia. On 5 June 2012, the armed forces of Armenia made an incursion into the bordering Gazakh district of Azerbaijan, as a result of which five Azerbaijani servicemen lost their lives. The international community vigorously reacted to that provocative action, demanding a stop to the violence and reiterating that the conflict cannot be resolved by the use of force.

I would also like to refer to the recent letters circulated by the Permanent Representative of Armenia (A/66/825-S/2012/428 and A/66/871-S/2012/559), the content of which is nothing other than yet another example of blatant falsification, so characteristic of this Member State's propaganda methods.

It is notable that, while making selective and out-of-context references to statements by international partners on the importance of the principle of the non-use of force, Armenian officials misinterpret this principle as allegedly having the purpose to freeze the military results of this country's illegal use of force against Azerbaijan. It is well known, however, that, in circumstances in which one State has

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neglected its obligation to settle the international dispute by peaceful means and thereafter has illegally used force to occupy the territory of another State, claims that the victim State is under an obligation to respect the principle of the non-use of force vis-à-vis the aggressor State are redundant. Needless to say, if sustained, such claims will inevitably play into the hands of an aggressor, tend to entrench positions of control achieved as a result of the illegal use of force, reinforce the perceptions of the centrality of military strength in international relations and encourage impunity rather than contribute to the triumph of justice.

The principle of the non-use of force, which has been flagrantly violated by Armenia, must be carried into effect by the complete withdrawal of Armenian armed forces from the Daghlyq Garabagh region and other occupied territories of Azerbaijan, the restoration of Azerbaijani sovereignty and territorial integrity within its internationally recognized borders and the reaffirmation of this principle in inter-State relations between Armenia and Azerbaijan in the framework of the settlement of the conflict. It is also essential to reiterate that Armenia is obliged under international law and the relevant Security Council resolutions to put an end to its illegal occupation of the territories of Azerbaijan and, consequently, the implementation of that obligation can in no way be introduced as a compromise and used as a bargaining chip in the conflict settlement process.

By claiming that Azerbaijan is allegedly continuing to reject the implementation of confidence-building measures, including the proposal on the withdrawal of snipers from the front line and the agreement to set up a mechanism for the investigation of accidents along the same line, the Armenian propaganda falls into its usual forgetfulness. Otherwise, the officials of that country would recollect their non-compliance with the relevant resolutions of the Security Council, which, inter alia, demanded immediate, complete and unconditional withdrawal of all Armenian forces from all the occupied territories of Azerbaijan, as well as their non-compliance with numerous documents and decisions of other international organizations calling for an end to the occupation of Azerbaijani lands.

Additionally, Armenia deliberately denies the right of more than 1 million Azerbaijani refugees and internally displaced persons to return to their homes, and undertakes efforts to alter the demographic balance in the occupied territories and remove any signs of their Azerbaijani cultural and historical roots. Armenia's speculations on confidence-building are also curious insofar as it persistently opposes direct contact between the Azerbaijani and Armenian communities of Daghlyq Garabagh. Likewise, the undisguised promotion by the leadership of Armenia of the odious ideas of racial superiority, ethnic and religious incompatibility and hatred towards Azerbaijan and other neighbouring nations can hardly contribute to building confidence.

Furthermore, as we have repeatedly stated in our earlier communications and as can be seen from the information attached to the present letter, regular ceasefire violations and deliberate attacks by the armed forces of Armenia against both Azerbaijani military personnel and civilians along the front line and the border between the two States have become more frequent and violent in recent times, resulting in the killing and maiming of many people. It is also notable that, on a number of occasions, such attacks and other provocative actions coincided with the intensification of peace efforts.

The above-mentioned letters from the Permanent Representative of Armenia once again contain comments on the military budget increase of Azerbaijan. It is, however, well known that the annual defence spending of Azerbaijan remains in line with its overall budget increases, that Azerbaijan continues to spend a much smaller percentage of its gross domestic product on its army than Armenia and that the size of the armed forces of Azerbaijan is proportional to its population, territory and length of borders and remains less than that of Armenia. Indeed, comparative analyses show that in correlation to its population, territory, annual budget and gross domestic product, Armenia is the most militarized country of the South Caucasus in terms of military expenditures, foreign military assistance, military personnel and quantity of procured armaments.

Moreover, in gross violation of the Treaty on Conventional Armed Forces in Europe to which it is a party, Armenia continues building up its military presence in the occupied territories of Azerbaijan and has deployed there more than 40 well-equipped combat units with up to 350 battle tanks, 398 armoured combat vehicles, 425 artillery systems (calibre 100 mm and above) and about 45,000 military personnel. The total number of declared and undeclared Treaty-limited equipment and military personnel of Armenia both in the territory of Armenia and the occupied territories of Azerbaijan amounts to 481 battle tanks, 599 armoured combat vehicles, 718 artillery systems and 91,804 military personnel. At the same time, it should be taken into account that, in accordance with the Treaty, Armenia is allowed to hold on its territory only 220 battle tanks, 220 armoured combat vehicles and 285 artillery systems, whereas under the Concluding Act of the Negotiation on Personnel Strength of Conventional Armed Forces in Europe, the armed forces of Armenia can have only up to 60,000 personnel. These figures give a clear picture regarding the extent to which Armenia has exceeded its allowed limit under the Treaty.

The conclusion here is obvious: the behaviour of Armenia definitely contributes to deepening mistrust and making the prospect of a speedy negotiated settlement elusive. It is obvious that the content of all statements and communications from the Government of Armenia is illustrative of its uninterrupted attempts to create a wrong impression of the real situation on the ground and to deflect the attention of the international community from the urgent need to address the main problems caused by this Member State's continuing aggression. Azerbaijan is confident that the achievement of peace, security, stability and confidence is possible, first and foremost, only by removing the consequences of the illegal use of force by Armenia, thus ensuring that the occupation of the territories of Azerbaijan is ended and that the rights of Azerbaijani internally displaced persons to return to their homes and to their property and possessions are guaranteed and implemented.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 35, 39, 67 and 83, and of the Security Council.

(*Signed*) Tofig **Musayev**
Deputy Permanent Representative
Chargé d'affaires a.i.

Annex to the letter dated 23 August 2012 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the Secretary-General

Violation of the ceasefire by the armed forces of the Republic of Armenia* for June 2012

No.	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
1.	1 June	01.45-02.00	The area near Berkaber village, Ijevan district, Armenia	The area near Gizil Hajili village, Gazakh district, Azerbaijan	Firearm and machine gun	–
2.	1 June	03.30-03.40	Occupied unnamed heights, Dashkesen district, Azerbaijan	Adjacent area	Firearm and machine gun	–
3.	1 June	10.45-11.05	Occupied area, Goyarkh, Tar-Tar district, Azerbaijan	Adjacent area	Firearm and machine gun	–
4.	1 June	13.25-13.35	The area near Chinarli village, Berd district, Armenia	The area near Kokhanabi village, Tovuz district, Azerbaijan	Firearm and machine gun	–
5.	2 June	01.35-01.40	Occupied area near Horadiz village, Fizuli district, Azerbaijan	Adjacent area	Firearm and machine gun	–
6.	4 June	00.50-01.05	Occupied area near Goyarkh village, Tar-Tar district, Azerbaijan	Adjacent area	Firearm and machine gun	–
7.	4 June	16.00-16.20 23.40-23.50	Occupied unnamed heights and the area near Tapgaragoyunlu village, Geranboy district, Azerbaijan	Adjacent area	Firearm and machine gun	–

* Settlements of the Republic of Azerbaijan included in this information are under occupation by the Republic of Armenia or situated close to fire point areas.

No	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
8.	4 June	23.20-23.30 23.35-23.40	Occupied unnamed heights and areas near Ashaghy Veyselli, Garakhanbeyli, Ashaghy Abdulrahmanly, Gorgan and Ashaghy Seyidahmedli villages, Fizuli district, Azerbaijan	Adjacent areas	Firearm and machine gun	–
9.	5 June	00.20-00.30 02.45-02.50 02.55-03.10 05.10-05.15	Occupied unnamed heights and areas near Ashaghy Veyselli, Garakhanbeyli, Ashaghy Abdulrahmanly, Gorgan and Ashaghy Seyidahmedli villages, Fizuli district, Azerbaijan	Adjacent areas	Firearm and machine gun	–
10.	5 June	02.55-03.10 06.30	From their positions on the territory of Armenia, that country's armed forces made an incursion into the territory of Azerbaijan and opened fire on the positions of the armed forces of Azerbaijan in Gazakh district situated on the border between the two countries	Gazakh district, Azerbaijan	Firearm and machine gun	Five soldiers of the armed forces of Azerbaijan, Zulfugar Atashli, Amil Aliyev, Vahid Bahirov, Khalid Azizov and Elchin Ismayilov, were killed
11.	5 June	03.00-03.10	Occupied unnamed heights, Khojavand district, Azerbaijan	Adjacent area	Firearm and machine gun	–
12.	5 June	03.10-03.20	Occupied area near Mehdili village, Jabrayil district, Azerbaijan	Adjacent area	Firearm and machine gun	–
13.	5 June	05.00-05.20	Occupied area near Javahirli and Yusifjanly villages, Aghdam district, Azerbaijan	Adjacent area	Firearm and machine gun	–

No	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
14.	5-6 June	At different times from 18.00 on 5 June to 08.00 on 6 June	Along the front line from positions in the occupied territories of Azerbaijan and along the border from the territory of Armenia	Adjacent areas in various directions	Firearm and machine gun	–
15.	6 June	At different times	Along the front line from positions in the occupied territories of Azerbaijan and along the border from the territory of Armenia	Adjacent areas	Firearm and machine gun	–
16.	7-8 June	At different times from 20.00 on 7 June to 08.00 on 8 June	Occupied area, Aghdam district, Azerbaijan	Adjacent areas	Firearm and machine gun	–
17.	8 June	12.00-12.30	Occupied areas, Ortag Gyshlag, Ortag Garvand, Bash Garvand and Farzali villages, Aghdam district, Azerbaijan	Adjacent areas	Firearm and machine gun	–
18.	8-9 June	At different times from 20.00 on 8 June to 08.00 on 9 June	Along the front line from positions in the occupied territories of Azerbaijan and along the border from the territory of Armenia	Adjacent areas in various directions	Firearm and machine gun	–
19.	10-11 June	At different times from 20.00 on 10 June to 08.00 on 11 June	Along the front line from positions in the occupied territories of Azerbaijan and along the border from the territory of Armenia	Adjacent areas in various directions	Firearm and machine gun	–
20.	11-12 June	At different times from 20.00 on 11 June to 08.00 on 12 June	Along the front line from positions in the occupied territories of Azerbaijan and along the border from the territory of Armenia	Adjacent areas in various directions	Firearm and machine gun	–

No	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
21.	12-13 June	At different times from 08.00 on 12 June to 08.00 on 13 June	Occupied areas near Gizil Oba, Goyarkh and Seysulan villages, Tar-Tar district; Tapgaragoyunlu village, Geranboy district; Merzili, Shurabad and Yusifjanly villages, Aghdam district; Horadiz, Gorgan, Ashaghy Abdulrahmanly, Ashaghy Seyidahmedli and Ashaghy Veyselli villages, Fizuli district; Mehdili village, Jabrayil district; and unnamed heights near Khojavand district, Azerbaijan	Adjacent areas	Firearm and machine gun	–
22.	13-14 June	At different times from 08.00 on 13 June to 08.00 on 14 June	Occupied areas near Aghdam, Geranboy, Fizuli and Khojavand districts, Azerbaijan	Adjacent areas	Firearm and machine gun	–
23.	15-16 June	At different times	Occupied areas near Merzili village, Aghdam district; Tapgaragoyunlu village, Geranboy district; Ashaghy Abdulrahmanly village, Fizuli district; Chilyabert village, Tar-Tar district; and Mehdili village, Jabrayil district, Azerbaijan	Adjacent areas	Firearm and machine gun	–
24.	17-18 June	At different times	Occupied areas near Shykhlar, Merzili and Yusifjanly villages, Aghdam district; Goyarkh village, Tar-Tar district; and Tapgaragoyunlu village, Geranboy district, Azerbaijan	Adjacent areas	Firearm and machine gun	–

No	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
25.	18-19 June	At different times	The area near Berkaber village, Ijevan district, Armenia, and occupied areas near Yusifjanly village, Aghdam district; Gorgan, Ashaghy Veyselli, Horadiz, Ashaghy Seyidahmedli and Garakhanbeyli villages, Fizuli district; Kuropatkino village, Khojavand district; and Tapgaragoyunlu village, Geranboy district, Azerbaijan	Adjacent areas	Firearm and machine gun	—
26.	19-20 June	At different times	Areas near Berkaber village, Ijevan district, and Bakeramavan village, Noyemberyan district, Armenia, and occupied areas near Mehdili village, Jabrayil district; Goyarkh and Gizil Oba villages, Tar-Tar district; Gulustan village, Geranboy district; Ashaghy Veyselli and Garakhanbeyli villages, Fizuli district; and Kuropatkino village, Khojavand district, Azerbaijan	Adjacent areas	Firearm and machine gun	—
27.	20-21 June	At different times	The area near Voskevan village, Noyemberyan district, Armenia, and occupied areas near Shykhlar and Kengerli villages, Aghdam district, and Ashaghy Abdulrahmanly and Gorgan villages, Fizuli district, Azerbaijan	Adjacent areas	Firearm and machine gun	—

No.	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
28.	21-22 June	At different times	Occupied areas near Tapgaragoyunlu village, Geranboy district; Ashaghy Abdulrahmanly, Ashaghy Seyidahmedli and Gorgan villages, Fizuli district; Gizil Oba village, Tar-Tar district; and Mehdili village, Jabrayil district, Azerbaijan	Adjacent areas	Firearm and machine gun	–
29.	23 June	At different times	The area near Berdavan village, Noyemberyan district, Armenia, and occupied areas near Garakhanbeyli, Ashaghy Abdulrahmanly and Ashaghy Seyidahmedli villages, Fizuli district; Yusifjanly and Merzili villages, Aghdam district; unnamed heights near Gizil Oba and Goyarkh villages, Tar-Tar district; and Khojavand district, Azerbaijan	Adjacent areas	Firearm and machine gun	–
30.	24-25 June	At different times	The area near Barekamavan village, Noyemberyan district, Armenia, and occupied areas near Yusifjanly, Shykhlar, Javahirli and Bash Garvand villages, Aghdam district; Goyarkh village, Tar-Tar district; and unnamed heights near Jabrayil district, Azerbaijan	Adjacent areas		–

No.	*Date*	*Time*	*Line point area*	*Direction*	*Weapons used*	*Casualties and damages*
31.	26-27 June	At different times	Occupied areas near Shykhlar, Javahirli, Shirvanly and Kengerli villages, Aghdam district; Kuropatkino village, Khojavand district; and unnamed heights near Jabrayil district, Azerbaijan	Adjacent areas	Firearm and machine gun	–
32.	26-27 June	At different times	Areas near Barekamavan and Berdavan villages, Noyemberyan district; Berkaber village, Ijevan district; and unnamed heights in Berd district, Armenia	Adjacent areas	Firearm and machine gun	–
33.	27 June	At different times	Occupied areas near Javahirli, Bash Garvand and Shurabad villages, Aghdam district; Ashaghy Abdulrahmanly village, Fizuli district; Kuropatkino village, Khojavand district; and unnamed heights near Jabrayil and Dashkesen districts, Azerbaijan	Adjacent areas	Firearm and machine gun	–
34.	27-28 June	At different times	The area near Berkaber village, Ijevan district, Armenia	Adjacent area	Firearm and machine gun	–
35.	27-28 June	In the morning hours	Occupied areas near Javahirli, Bash Garvand and Shurabad villages, Aghdam district; Ashaghy Abdulrahmanly village, Fizuli district; Kuropatkino village, Khojavand district; and unnamed heights near Jabrayil and Dashkesen districts, Azerbaijan	Adjacent areas	Firearm and machine gun	–

No.	*Date*	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damages*
36.	28-29 June	At different times	Occupied areas near Javahirli and Shykhlar villages, Aghdam district; Horadiz village, Fizuli district; Yarimja and Namirli villages, Tar-Tar district; and unnamed heights, Khojavand and Dashkesen districts, Azerbaijan	Adjacent area	Firearm and machine gun	—
37.	29-30 June	At different times	Occupied areas near Ashaghy Seyidahmedli village, Fizuli district; and Seysulan village, Tar-Tar district, Azerbaijan	Adjacent area	Firearm and machine gun	—